

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 45—Division of Developmental Disabilities
Chapter 7—Standards for Provider Contracts**

PROPOSED RULE

9 CSR 45-7.070 Termination of Contracts

PURPOSE: This rule establishes practices to terminate existing contracts by the Division.

- (1) The Division shall terminate services or contracts for reasons including but is not limited to:
 - (A) Any service code which has not been accessed for twenty-three (23) or more months;
 - (B) Any provider contract which has not been accessed for twenty-three (23) or more months;
 - (C) Any provider who fails to sign and return a contract renewal by the stated deadline;
 - (D) Any provider owner, administrator or executive director who has been convicted of or plead guilty to a disqualifying felony as specified under 630.170 RSMo or any offense as listed in section(2)(F)(3) of 9 CSR 45-7.020 Provider Enrollment;
 - (E) Any provider owner, administrator or executive director who has been placed on the Office of Inspector General's exclusions database;
 - (F) Owner or organization fails to pay personal or business Missouri or Federal taxes;
 - (G) Provider fails to maintain required insurances;
 - (H) Death of the provider owner;
 - (I) Provider sells the business to a new owner who is not contracted with the Division;
 - (J) Provider employs illegal aliens.
- (2) The Division may terminate services or contracts, in its discretion, which includes but is not limited to:
 - (A) Any provider currently or previously in violation of the Division contract;
 - (B) Any provider currently or previously in violation of the service definition;
 - (C) Any provider owner, administrator or executive director substantiated for abuse, neglect or misuse of funds or property under 9 CSR 10-5.200;
 - (D) Any provider who has been placed on a Critical Status Plan, No Growth or No Referral Status for more than eleven (11) consecutive months;
- (3) Any provider who has been placed on a, or a combination of, Certification Conditional Status, Improvement Plan, Critical Status Plan, No Growth or No Referral Status for eighteen (18) months out of thirty-six (36) consecutive months.
- (4) The Division, in its discretion, shall determine whether the provider, owner, administrator, or executive director of a terminated contract may reapply for a contract at a later date.
- (5) The Division, in its discretion, shall determine timelines for eligibility to reapply.

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All providers reapplying for a contract shall follow the enrollment process defined in 9 CSR 45-7.0120 Provider Enrollment.

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